

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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LESLIE ROOT,

Plaintiffs,

v.

CORNING COMMUNITY COLLEGE,

Defendant.

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**NOTICE OF MOTION TO  
DISMISS**

Civil Action No.  
6:17-cv-06498-CJS

BY: Defendant Corning Community College

DATE, TIME AND  
PLACE OF HEARING: At the United States District Court, Western District of  
New York, United States Courthouse, 100 State Street,  
Rochester, New York before the Honorable Charles J.  
Siragusa at a date, place and time to be determined by the  
Court.

RELIEF SOUGHT: An order granting Defendant's Motion to Dismiss the  
Complaint pursuant to Rule 12(b) of the Federal Rules of  
Civil Procedure, and granting such other and further relief  
as the Court may deem just and proper.

SUPPORTING PAPERS: Declaration of Katherine S. McClung, Esq. dated  
February 20, 2018, with attached exhibits; Declaration of  
Jina Toribio, dated February 9, 2018, with attached  
exhibits; Declaration of Carl H. Blowers, dated  
February 19, 2018; and Memorandum of Law in Support of  
Defendant's Motion to Dismiss the Complaint.

**PLEASE TAKE NOTICE** that, pursuant to Local Rule 7(a)(8), Defendant's counsel  
mailed Plaintiff printed copies of decisions cited in the accompanying memorandum of law that  
are unreported or reported exclusively on computerized databases

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Rule 7(a)(1), Defendant  
intends to file and serve reply papers and, unless a different schedule is ordered by the Court,  
will do so within seven (7) days after service of papers responsive to this motion.

Dated: February 20, 2018

BOND, SCHOENECK & KING, PLLC

By: /s/ Katherine McClung  
Katherine S. McClung, Esq.

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